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Copy of a Report of a Committee of the Honourable the Executive Council, approved by His Honour the Lieutenant-Governor on the 12th day of August, 1884.

On a memorandum from the Honourable the Chief Commissioner of Lands and Works, dated 4th of August, 1884, enclosing a communication from W. A. Baillie-Grohman, Esq., dated 25th July, 1884, making a formal proposal, on behalf of the Kootenay Lake Syndicate, embracing certain conditions and provisions upon which they desire to acquire partially free grants of certain lands designated in the Schedule to the communication, and marked respectively A, B, and C, and reporting that Mr. Grohman has in his communication embodied the substance of the various conferences held with the Minister upon the subject, and recommending that he be authorized to set apart and reserve from sale or settlement the lands so desired to be acquired by the Syndicate, excepting those indicated by the three concluding paragraphs in the Schedule C, and sub-marked in red 1, 2, and 3 [*printed in italics*];

And further recommending that an agreement, embodying the spirit of the provisions and conditions submitted by Mr. Grohman, be entered into with him as the representative of the Kootenay Lake Syndicate.

The Committee advise the approval of the recommendations.

Certified.

(Signed) T. ELWYN,
Deputy Clerk Executive Council.

VICTORIA, B. C., July 25th, 1884.

To the Honourable the

Chief Commissioner of Lands & Works, Victoria, B. C.

SIR,—In confirmation of the understanding arrived at between us respecting the partially free grant of the Kootenay River bottom lands and certain other lands, the conditions and provisions of which grant were matured by correspondence and verbal conferences, I have now the honour of making you formally, under the authority I hold from the Kootenay Lake Syndicate, the following proposal embracing the primary conditions and provisions upon which the Government shall grant to me, under section 58 of the "1st Act, 1884," partially free grant of the swamp and bottom lands situated on Kootenay River and Kootenay Lake, and of other tracts, all of which are hereinafter designated under the separate heads of—

LANDS A.—Containing and consisting of about two thousand (2,000) acres of grazing land situated between the Upper Columbia Lake and the Upper Kootenay River at the point where the latter approaches the former to within a distance of two miles or less, and which point is known as the "first crossing of Kootenay River;" also the swamp and bottom lands on the Upper and Middle Kootenay River between the "first crossing" and the International boundary line, which are now subject to an overflow during high-water season, and which swamp and bottom lands are of an estimated area of about twenty-two thousand five hundred (22,500) acres.

LANDS B.—Containing and consisting of the following approximated areas of swamp and bottom lands on the Lower Kootenay River, described in Mr. A. S. Farwell's report on the Kootenay reclamation scheme, under date of 31st December, 1883, as consisting of—

Flat 1—Containing about 9,000 acres	
" 3 " " 8,000 "	} Thirty thousand (30,000) acres of swamp and bottom land.
" 4 " " 8,000 "	
The Island " " 5,000 "	

Also that piece of land containing about Two thousand five hundred (2,500) acres, bounded and described as follows, that is to say:—commencing at a point where the boundary line intersects the Lower Kootenay River; thence running east along the said boundary line forty (40) chains; thence true north to Goat River; thence following Goat River to the said swamp lands before described as flat No. 1; and thence along the foot-hills in a southerly direction to the Kootenay River; and thence following the right bank of the Lower Kootenay River to the point of commencement. Also twenty-five (25) acres at Rocky Point on the left bank of the Lower Kootenay River, at the head of the Island.

LANDS C.—Containing and consisting of the approximated areas described in the afore-said Report on the Kootenay reclamation scheme as flat No. 2, consisting of about fifteen thousand (15,000) acres of more or less permanently overflowed marsh or lagoon land lying on the right bank of the Lower Kootenay River, between Goat River and Kootenay Lake.

1. Also a tract of overflowed swamp land about one thousand (1,000) acres, more or less, in extent lying at the north of Lardo Creek, on northern end of Kootenay Lake, and all of which tract will be reclaimed by lowering the level of Kootenay Lake.

2. Also a tract of twenty-five (25) acres at the northern or right bank of the western arm of Kootenay Lake where the "Rapids" are formed.

3. Also a tract of fifty (50) acres at the "Narrows," on southerly or left bank of the western arm of Kootenay Lake.

All of which lands, A, B, C, are on Kootenay River and Kootenay Lake, in Kootenay District, in the Province of British Columbia, and aggregate, approximately, seventy-three thousand one hundred (73,100) acres.

The conditions and provisions of the partially free grant are—

1. That the Kootenay Lake Syndicate shall cause a competent Civil Engineer to make, at our cost, a thorough examination of the features bearing upon the carrying out of the reclamation works at the "canal," "narrows," and "rapids." That the said examination be commenced before 1st September, 1884, with the privilege of extending it, should the necessity for so doing arise, to the summer of 1885, so as to arrive at a definite estimate of cost of the works before October 30th, 1885. That the report of our Civil Engineer be submitted to the inspection of the Chief Commissioner of Lands and Works.

2. That we place a steam-tug or steamer on Kootenay River in the course of the present year.

3. That we undertake to place a similar steamer or steam-tug on the Upper Columbia River to navigate the stream from the Canada Pacific Railway, first crossing of the Columbia, to the Upper Columbia Lake, within six months after the commencement of our reclamation works, at the Upper Kootenay River Canal; always provided that this afore-mentioned stretch of water is navigable for steamers, and that no other steamer be navigating the said waters by that time.

4. That within six months after the receipt of our Engineer's final report on the Kootenay reclamation scheme, we form a limited liability company, with a capital of at least fifty thousand (£50,000) pounds sterling, for the purpose of carrying through the reclamation and colonisation of the lands now considered. That the head office of this company be in London, England, with an agent in Victoria, B. C., and representatives in at least six of the most important American and European cities.

5. That the reclamation works be commenced within six months after the formation of the said Colonisation Company, and that they be commenced at the "Rapids," "Narrows," and "Canal," or at any one or two of the said points.

6. That in the course of the said reclamation works, as the several tracts on the Upper, Middle, or Lower Kootenay River and Lake become reclaimed, or partially reclaimed and fit for settlement, we cause surveys to be made, at our cost, of the said tracts, and that the said surveys be carried out in accordance with the now existing land laws of the Province, by surveyors approved of by the Chief Commissioner of Lands and Works, and that the plans and field-notes be deposited with the Chief Commissioner of Lands and Works.

7. That if within eight (8) years from the date of these presents, or if within two (2) years after the completion of the reclamation works there shall be resident *bona fide* settlers on said Lands A, Crown grants for all or any part or parts of the said Land A shall be issued to us at the rate of one dollar per acre, and in quantities of four hundred and eighty (480) acres for each *bona fide* resident settler on last mentioned Lands A. That if within eight (8) years from the date of these presents, or if within two (2) years after the completion of the reclamation works, there shall be resident *bona fide* settlers on said Lands B, Crown grants for all or any part or parts of the said Lands B shall be issued to us at the rate of one dollar per acre, and in quantities of three hundred and twenty (320) acres for each *bona fide* resident settler on last mentioned Lands B. That if within ten (10) years of the date of these presents, or if within four (4) years after the completion of the reclamation works at the "Rapids," "Narrows," and "Canal," there shall be resident *bona fide* settlers on said Lands C, Crown grants for all or any part or parts of the said Lands C shall be issued to us at the rate of one dollar per acre, and in quantities of four hundred and eighty (480) acres for each *bona fide* resident settler on last-mentioned Lands C.

8. That under the term "resident *bona fide* settler" be understood such persons who are permanently settled on the land, who own a dwelling house, and who pursue either agricultural, grazing, lumbering, mining, or mercantile pursuits.

9. That in order to carry out the colonisation scheme while the reclamation of the said tracts A, B, and C is being carried out, we be entitled to make provisional sales to actual

resident settlers at such rates and under such conditions as seem to us most beneficial to the proper carrying out of the colonisation, and that Crown grants be issued to us at the rate of one dollar per acre for land so conveyed; provided that at the time application is made for Crown grants the settler for whose benefit the said application be made be in actual residence on the land; that if he intends to farm his land he have the necessary farming implements to cultivate the ground, or if it be his intention of grazing stock, that he be actual owner of at least one head of cattle, or three sheep, or five pigs, or one horse, for every ten (10) acres of land purchased by him; and that if the application be made on behalf of a settler engaged in other pursuits than farming or stock-raising, and he be desirous of owning the land upon which he resides, he shall have the right to purchase from us land in quantities not exceeding three hundred and twenty (320) acres, and we be entitled to receive Crown grants at the rate of one dollar per acre for said land.

10. That as we desire to establish on the lands now under consideration a stock-ranch and saw-mill, we shall have the right to receive Crown grants at the rate of one dollar per acre for such of the land as we deem necessary, the area to be limited however to two thousand five hundred (2,500) acres of Lands A, and five thousand (5,000) acres of Lands B and C; always provided that at the time we apply for Crown grants there be placed on the land one head of cattle, or three sheep, or five pigs, or one horse for every ten (10) acres of land for which, under above condition, we are to receive Crown grants at the rate of one dollar per acre.

11. That in consideration of our placing a saw-mill, with a capacity of at least ten thousand (10,000) feet per day, on said land, we shall have the right to acquire two thousand (2,000) acres, and to receive Crown grants at the rate of one dollar per acre.

12. That in order to carry out the reclamation works we shall have a right of way over and full ingress and egress upon any Crown lands, and the right to construct a ditch or canal, or such other work, between the Upper Kootenay River and the Upper Columbia Lake, that will enable us to turn the Upper Kootenay River into the Upper Columbia Lake; that we shall have similar right of way over and full ingress and egress over Crown lands at the points known as the "Rapids" and "Narrows" on western arm of Kootenay Lake (outlet), and that we have free permission from the Government to conduct the said works at the said three points.

13. That no land tax or real estate tax be charged on Lands A, B, and C, until Crown grants are issued for the lands acquired.

14. That the Government be at liberty to appropriate out of Lands A such area as may have been reserved for Indian purposes; that the Government be at liberty to appropriate out of Lands B and C an area not exceeding twelve hundred and eighty (1,280) acres for Indian reserves.

15. That the Government be at liberty to resume possession of not exceeding five per cent. of land conveyed by any Crown grant for school sites and for purposes and works of public utility and convenience.

16. That a formal agreement, embracing the conditions and provisions of the partially free grant now under consideration, may be drawn up and entered into; it being understood that in such agreement the date "of those presents" to mean the date when the final agreement is executed.

17. That within six months after the incorporation of the limited liability company before described, we deposit with the Government a sum amounting to ten (10) cents upon the one dollar per acre for which, under the present agreement, we shall, upon fulfilling the aforementioned several conditions and provisions, have the right to acquire the Lands A, B, and C considered in this agreement.

18. That in consideration of the considerable expenditures already incurred by us, and the further expenditures provided as before described, the Government, in accordance with the partially free grant of the said Lands A, B, and C, place immediately a reserve, for our benefit, on all the lands considered in these presents, and maintain the said reserve for a term of ten (10) years, and that in accordance with the requirements of section 58 of the "Land Amendment Act, 1884," a report of a Committee of the Honourable the Executive Council, approved by the Lieutenant-Governor, wherein the aforesaid conditions and provisions of this partially free grant be confirmed, be furnished to the Kootenay Lake Syndicate, or their representative, Mr. W. A. Baillie-Grohman, to enable us to form the afore-described company for the reclamation and colonisation of the lands agreed to be conveyed to us.

I have, &c.,

(Signed)

WM. A. BAILLIE-GROHMAN.